

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DESHAWN LEE CAMPBELL,
Petitioner,

v.

RANDY GROUNDS,
Respondent.

Case No. 12-cv-06089-BLF

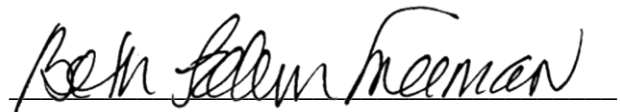
**ORDER REQUESTING FURTHER
STATUS UPDATE IN SIXTY DAYS**

Following completion of the briefing in this habeas case and submission of the petition for disposition, Petitioner DeShawn Lee Campbell obtained an order from this Court permitting him to conduct discovery. The appropriate scope of the discovery permitted by that order currently is being litigated before Magistrate Judge Grewal. On August 20, 2015, the Court issued an order requesting a status update as to the ripeness of the habeas petition for disposition in light of the pending discovery matters.

Having reviewed the status update submitted on August 31, 2015, the Court concludes that a decision on the merits of the petition at this time would be premature given the ongoing discovery and Petitioner's expressed intention of seeking leave to amend the petition to add a claim of actual innocence if Petitioner concludes that such a claim would be supported by new evidence. The Court therefore requests that the parties file a further status update in sixty days informing the Court whether discovery has been completed and, if so, whether Petitioner intends to file a motion for leave to amend the petition.

IT IS SO ORDERED.

Dated: September 1, 2015


BETH LABSON FREEMAN
United States District Judge